

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HUSBANDS FOR RENT, INC.,)	
)	
Plaintiff(s),)	No. C04-1603 BZ
)	
v.)	PRETRIAL ORDER
)	
HANDY HUSBANDS FOR RENT,)	
INC.,)	
)	
Defendants.)	
_____)	

The pretrial conference in this case was held on Tuesday, January 31, 2006. Plaintiff was represented by Michael McClelland, Esq., and defendant was represented by Jean Ann Bauer, Esq.

This order shall control the subsequent conduct of the case and be modified only to prevent manifest injustice. See Fed. R. Civ. P. 16(e).

IT IS HEREBY ORDERED that:

1. Trial shall begin on **February 13, 2006, at 8:30 a.m.** in Courtroom G, 15th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California 94102. On the first day, the proceedings will last from **8:30 a.m. - 3:30 p.m.**, with

1 the following day's schedule to be determined. Each side
2 shall present witnesses on time and schedule witnesses to
3 avoid any interruption in the presentation of testimony.

4 2. Plaintiff's motions in limine to exclude testimony
5 or documents offered by defendant to contradict or vary
6 responses admitted in response to plaintiff's request for
7 admissions, set one and set two were **GRANTED** on September 13,
8 2005.

9 3. For the reasons below and for the reasons stated on
10 the record at the pretrial conference, the following are
11 rulings on plaintiff's remaining motions in limine:

12 a. Plaintiff's motion to exclude all documents or
13 testimony regarding plaintiff's alleged failure to
14 produce documents requested by defendant is **DENIED**,
15 without prejudice to being renewed at trial in the
16 context of specific evidence.

17 b. Plaintiff's motion to exclude all documents offered
18 by defendant that were not produced at defendant's
19 deposition or pursuant to plaintiff's request for
20 production of documents is **DENIED**, without prejudice to
21 being renewed at trial in the context of specific
22 documents.

23 c. Plaintiff's motion to exclude all documents or
24 testimony obtained by defendant at the early neutral
25 evaluation is **GRANTED**.

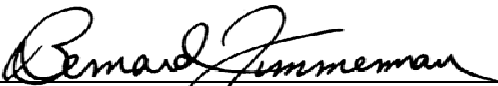
26 d. Plaintiff's motion to exclude all witnesses not
27 disclosed by defendant in Rule 33 interrogatory
28 responses or Rule 26 disclosures is **DENIED as moot**.

1 e. Plaintiff's motion to exclude any testimony by Betty
2 Boyd is **DENIED as moot**, as she will not be testifying.

3 f. Plaintiff's motion with respect to spoliation of
4 evidence is **DENIED**.

5 4. Plaintiff's objections to defendant's exhibits are
6 **OVERRULED**. Defendant has represented that the only exhibits
7 it plans to use are attached to the answer to the complaint.
8 Exhibits shall not be a part of the record unless sponsored
9 by a witness.

10 Dated: February 1, 2006

11 

12 Bernard Zimmerman
United States Magistrate Judge

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